

Remarks

A new descriptive title and a more concise abstract have been substituted in this amendment. Regarding the informalities regarding the three referenced U.S. Patent Applications on page 32 of the specification, an amendment substituting serial numbers in place of attorney docket numbers has been made. Withdrawal of the objections is respectfully requested.

In response to the rejection of claims 7-8 under 35 U.S.C. 112, second paragraph, the language of claim 8 has been clarified by amendment. Claim 7 is deemed to be in proper form without any amendment. Withdrawal of the rejection is respectfully requested.

Claims 1, 4-5, 6, 8 and 10 are rejected for anticipation under 35 U.S.C. 102(e) based on the Farris patent. Amendments have been made to claims 1, 4-5, 8, 9 and 10 to clarify and emphasize features not disclosed in the Farris reference. Accordingly the anticipation rejection is traversed, and favorable reconsideration is solicited in view of the discussion below.

Various dependent claims are rejected under 35 U.S.C. 103(a) for obviousness as follows: claims 2-3 based on Farris in view of McKinnon; claim 7 based on Farris in view of Henderson; and claim 9 based on Farris in view of Akers. Applicants traverse these rejections and request favorable reconsideration as further discussed below.

New dependent claims 11-13 have been added by amendment to recite additional features of the invention. All of the amended and new claims are fully supported by the specification and drawings, and no new matter has been added.

The Farris et al. reference has only a superficial relation to the claimed features of the present invention. There is a diversion of voice communications along different routes in Farris, but this diversion in Farris occurs on the shared public Internet, PSTN, and public trunk lines. This diversion is intended to provide relief from an overload (also called "switch congestion", see column 5 lines 36-45), as indicated by the following exemplary excerpts from the Farris patent reference:

“The foregoing arrangements provide for relief from various aspects of the overall network overload problem. Relief for overload in the Internet itself is provided by diverting voice communication via the trunked PSTN. . .”

“FIG. 5 illustrates a preferred embodiment of the present invention which provides additional relief. According to this embodiment there is provided a still further additional path to relieve congestion not only on the Internet but also on the PSTN or PSTNs which may be required to supply alternate routes.” (See column 11 lines 43-60, emphasis added)

“This redundancy is utilized as a feature of the invention to enable the existing SS7 network to handle the digital packet voice communication and thereby ameliorate or eliminate traffic overload. . . . It is a feature of the invention that the availability of spare capacity is determined before diverting voice or other trunk signals into the CCIS SS7 network.” (See column 13 lines 45-57, emphasis added)

In contrast, the independent claims 1 and 5 recite a customer premise telephone unit that provides a backup for a failure related to the subscriber link for multiple devices. The Farris reference clearly does not disclose every element and feature of the claimed invention, and therefore the anticipation rejection of claims 1, 4-5, 6, 8 and 10 based on Section 102(e) should be withdrawn.

The other cited references when combined with Farris do not provide a valid basis for rejecting any of the pending claims 1-13.

The Akers reference identifies the problems of local power outage or electronic system failure (column 1 lines 11-31). But there is no suggestion for solving that problem as recited in the present claims.

The Henderson reference discloses a control circuit that “receives the downstream signals in a first frequency range and transmits the upstream signals in a second frequency range” (column 4 line 67 to column 5 line2). But there is no disclosure adapting this technique for use with a life line subscriber link as recited in the present claims. Combining the disclosure of Fig. 2 in Farris with Henderson does not teach the

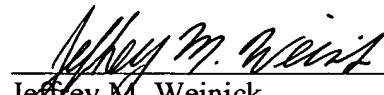
presently claimed subscriber link life line invention, particularly where the "same line" such as 96 in Fig. 2 of Farris mentioned by the Examiner is a trunk line.

The McKinnon et al. reference is not concerned with multiple customer devices that share access over a subscriber link, but discloses a telephone connected through an adapter to a personal computer having Internet access (Voice over IP – see column 7 lines 13-20). The alternate analog telephone line merely provides a conventional separate parallel connection "in the event the PC is turned off or non-operational in general" (see Fig. 2 and column 3 lines 11-12).

It is submitted that the combination of features in rejected dependent claims 2, 3, 7 and 9 are not obvious in view of the combined references, and favorable reconsideration is respectfully requested.

In view of all the foregoing, it is believed that all of the claims 1-13 are patentable over the cited references and are in condition for allowance, notice of which is earnestly solicited.

Respectfully submitted,



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